

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:
Roger D. Mulch and
Shelly M. Nicholas Goans,
Debtors.

Case No. 19-34008
Honorable Janet S. Baer
Chapter 7

NOTICE OF MOTION

To: Roger D. Mulch and Shelly M. Nicholas Goans 6N755 Murray Rd. Saint Charles, IL 60175 Via U.S. Mail Debtors.	David M. Siegel David M. Siegel & Associates 790 Chaddick Drive Wheeling, IL 60090 Via Court Electronic Notification	Frank J Kokoszka Kokoszka & Janczur, P.C. 122 South Michigan Ave Suite 1070 Chicago, IL 60603-6270 Via Court Electronic Notification
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PLEASE TAKE NOTICE that on the 13TH day of March, 2020 at 11:00 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Janet S. Baer in Courtroom 240 in the Kane County Courthouse, 100 South Third Street, Geneva, Illinois, or before any other Bankruptcy Judge who may be presiding in said Judge's place and stead, and shall then and there move the Court for the entry of an order in accordance with the attached motion at which time you may appear if you so desire.

/s/ James M. Philbrick

CERTIFICATE OF SERVICE

I, James M. Philbrick, an attorney, certify that I personally served the above and foregoing notice and motion on the above parties by Court Electronic Notification and by depositing the same in the U.S. Mail on the 26th day of February , 2020, before the hour of 5:00 p.m. from the U.S. Post Office, Mundelein, Illinois 60060.

/s/ James M. Philbrick

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Debtors.

Chapter 7

**MOTION TO EXTEND THE DEADLINE TO FILE A COMPLAINT TO OBJECT TO
DISCHARGE OR DISCHARGEABILITY OF DEBT AND MOTION TO CONDUCT A 2004 EXAM.**

NOW COMES Ally Financial, by and through its attorney, JAMES M. PHILBRICK, of THE LAW OFFICES OF JAMES M. PHILBRICK, and as and for its Motion to Extend the Deadline to File a Complaint and Motion to Conduct a 2004 Exam, states as follows:

1. That Ally Financial is a creditor-claimant of the Debtors and brings this motion pursuant to Rule 2004 and Rule 9006 of the Federal Rules of Bankruptcy Procedure.
2. That on or about September 8, 2016, the Debtors executed an agreement for an interest in one 2016 Chevrolet Silverado, VIN 1GCVKNEC7GZ332054.
3. That Ally Financial has a properly perfected interest in the collateral in accordance with the Illinois Motor Vehicle Act, and said lien was noted upon the Certificate of Title in connection with the aforesaid motor vehicle.
4. That on December 2, 2019, the Debtors filed a voluntary petition under Chapter 7 of Title 11 of the United States Code.
5. That, based upon information and belief, the Debtors are currently in possession of the vehicle and have refused to turn over the vehicle to Ally Financial.
6. That Ally Financial seeks to examine the Debtor and financial documents in order to ascertain the whereabouts of the said vehicle and to determine if a complaint to object to discharge or dischargeability is warranted. That counsel for Ally Financial will conduct the examination in Mundelein, Illinois.
7. That Ally Financial will need time to conduct the 2004 exam and therefore needs an extension of the deadline to file a complaint to object to discharge or dischargeability of debt to and including May 28, 2020.

WHEREFORE, Ally Financial prays this Honorable Court for the entry of the attached order allowing Ally Financial to examine the Debtor in Mundelein, IL and extending the deadline to file a complaint to object to discharge or dischargeability to and including May 28, 2020 ; and for such other and further relief as the Court may deem just and proper.

Ally Financial

By: James M. Philbrick /s/
One of its Attorneys

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